

ORDINANCE NO. 89-1

AN ORDINANCE PERMITTING DODSON, INCORPORATED, ITS SUCCESSORS AND ASSIGNS, TO LEAVE THE PORTION OF AN EXISTING BUILDING WHICH ENCROACHES 8.0434 SQUARE FEET INTO THE EAST RIGHT-OF-WAY LINE OF KURZ STREET, IN THE CITY OF SOMERSET, BEXAR COUNTY, TEXAS, AND AS IT IS NOW LOCATED IN KURZ STREET, AND FURTHER PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY.

WHEREAS, Dodson Incorporated is the owner of a 0.594 acre tract of land, being a portion of that certain 1.293 acre tract of land fronting on Kurz Street, Somerset Road, and FM 2173, described in detail on Exhibit "A" which is attached hereto and made a part hereof; and

WHEREAS, a storage building located on the west side of such .059 acre tract of land encroaches upon the east right-of-way of Kurz Street for an area of 8.0434 square feet (0.00018 acres) more or less, which is described by metes and bounds on Exhibit "B", a copy of which is attached hereto and made a part hereof for all purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSET, TEXAS:


SECTION 1.

That Dodson Incorporated, the owner of said land above-described, and the improvements situated thereon, and its

successors and assigns, be permitted to leave the existing building with an encroachment of 8.0434 square feet of land, as described on Exhibit "B" attached hereto, along the east side of Kurz Street and along the west side of the aforesaid 0.594 acre tract of land described on Exhibit "A" attached hereto; and that said improvements on said above-described real property be allowed to stand during the life of said building as same is now constructed, provided, however, that in the event such building be demolished or major alterations and repairs be made to said building in the future, said building shall be reconstructed or repaired so as not to encroach upon Kurz Street and so as to be in compliance with the then existing ordinances, rules and regulations of the City of Somerset, Texas.

SECTION 2.

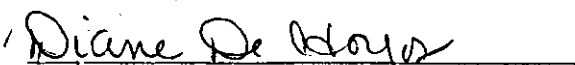
That this ordinance shall take effect and be in full force and effect from and after the date of its passage, and it is so ordained.

  
Mayor

APPROVED AS TO FORM:

  
City Attorney

I, Diane De Hoyos, Somerset City Clerk, do hereby certify that this ordinance was passed and approved at a Regular City Council Meeting on January 12, 1989.

  
Diane De Hoyos, City Clerk